

United States District Court
For The Northern District Of New York

Case No. 06 Civ. 1336

Date: _____

Presiding Judge: Hon. Gary L. Sharpe

(x) Plaintiff

() Defendant

() Court

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
P-1					Home Office Performance Appraisal for Linda Zukaitis dated March 2, 2001 (P 270-5)
P-2	6/8/10	6/8/10		Linda Zukaitis	Home Office Performance Appraisal for Linda Zukaitis dated March 7, 2002 (P 263-9)
P-3	6/8/10	6/8/10		Linda Zukaitis	Home Office Performance Appraisal for Linda Zukaitis dated March 11, 2003 (P 257-62)
P-4	6/7/10	6/7/10		Kathleen Curns	Wal-Mart Home Office Performance Appraisals for Kathleen Curns dated March 14, 2003 (P 118-23)
P-5	6/8/10	6/8/10		Linda Zukaitis	Home Office Performance Appraisal dated February 9, 2004 (P 248-53)
P-6	6/7/10	6/7/10		Kathleen Curns	Lowest Shrink Percent YTD Award (P 143)
P-7					Reduction in Force Guidelines from Store and Club Management dated December 23, 2004 (P 79-80)
P-8					Wal-Mart Statement of Ethics (D 555-7)
P-9					Performance Evaluation for Shoes and Jewelry District Manager/Regional (D 1410-12)
P-10	6/8/10	6/8/10		Linda Zukaitis	Performance Evaluation for Linda Zukaitis (P 244-6)
P-11					Email to Frank Washburn dated May 5, 2005 regarding Shoes and Jewelry DM Transition (D 2921)
P-12					Email from Debra Hartenstein dated May 9, 2005 (P 78)

Exhibits Returned to Counsel (Date): 6/14/10Signature: Returned to plaintiffs' counsel at the conclusion of the trial.

Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
P-13					Memo from Frank Washburn to All Management dated May 12, 2005 regarding Structure Change Announcement (P 77)
P-14					Email from Debra Goldfarb dated May 12, 2005 regarding Talking Points for Department Managers (P 124-5)
P-15					Memo from Frank Washburn to Regional Vice Presidents with cc to Regional Personnel Managers dated May 13, 2005 regarding Revised Phase 2 Districts (D 1587-8)
P-16					Email from Management Career Selection to Kathleen Curns dated May 15, 2005 (P 9)
P-17					Phase 2 Revised Chart (D 1596-9)
P-18					Email from Management Career Selection re Your MCS Application (P 13)
P-19					Email from Micah Hawk dated May 31, 2005 (D 2396)
P-20					PCN for John Morgans (D 1408)
P-21					Email from Management Career Selection to Kathleen Curns regarding receipt of application for District Fashion Merchandising position (P 7)
P-22					Email from Frank Washburn to Gwen Cannon and Alfred Rodriguez regarding Transition plan for remaining Shoe and Jewelry District Managers (D 2922)
P-23	6/9/10	6/9/10		Linda Zukaitis	Request for Leave of Absence from Linda Zukaitis dated July, 1, 2005 (P 192)
P-24					Email from Karen Edgmon to Micah Hawk dated July 15, 2005 (D 2394)

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Exhibit No.	Marked for Identification	Admitted Into Evidence	Remarks	Witness	Exhibit Description
P-25	6/9/10	6/9/10		Linda Zukaitis	Second Notice given to Linda Zukaitis from Micah Hawk dated July 20, 2005 (P 191)
P-26					Request for Leave of Absence from Linda Zukaitis dated July 27, 2005 (P 166)
P-27					Letter from Linda Zukaitis to Micah Hawk dated July 28, 2005 regarding assistant manager position (P 165)
P-28					Letter from Micah Hawk to Linda Zukaitis dated July 29, 2005 regarding assistant manager position (P 164)
P-29					E-mail to David Eaton from Micah Hawk dated August 2, 2005 (D 2381)
P-30					Emails between Micah Hawk and George Sherrill dated August 29, 2005 (D 2357-8)
P-31	6/8/10	6/8/10		Kathleen Curns	Email from Kathleen Curns to Karen Edgmon dated September 2, 2005 (P 21)
P-32					Email from Karen Edgmon to Kathleen Curns dated September 6, 2005 (P 19)
P-33					Email from Karen Edgmon dated September 6, 2005 regarding Email from Kathleen Curns (P 20)
P-34	6/8/10	6/8/10		Kathleen Curns	Email from Stacy Wiggins dated September 11, 2005 regarding Kathleen Curns – Store 2262 (P 16)
P-35					E-mail from Micah Hawk dated September 21, 2005 to Kathleen Curns regarding Cobleskill Co-Manager position (P 11)
P-36					E-mail from Management Career Selection dated September 21, 2005 regarding application for Co-Manager position (P 18)

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P-37					Email from Kathleen Curns to Micah Hawk dated September 26, 2005 (P_12)
P-38					Email from Micah Hawk to Kathleen Curns dated September 26, 2005 (P_17)
P-39					Email from Kathleen Curns to Micah Hawk (P_15)
P-40					EEOC Charge of Discrimination for Kathleen Curns (P_43-4)
P-41					E-mail from Management Career Selection dated October 8, 2005 regarding receipt of application for Co-Manager position (P_6)
P-42					EEOC Charge of Discrimination for Linda Zukaitis (P_50)
P-43					Amendment to EEOC Charge of Discrimination for Linda Zukaitis (D_2295)
P-44					New York Times article dated October 26, 2005 regarding Wal-Mart Memo Suggests Ways to Cut Employee Benefit Costs
P-45					Amendment to EEOC Charge of Discrimination for Kathleen Curns dated July 8, 2006 (D_2267)
P-46					Email from Management Career Selection dated October 14, 2006 regarding receipt of application for the APC-Non-Metro (WM) position (P_10)
P-47					Complaint
P-48					Completed Training Report for Stacy Wiggins (D_895-8)

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P-49					Completed Training Report for Randall Sims (D_892-4)
P-50					Completed Training Report for Alton Jenkins (D_899-901)
P-51	6/4/06				Defendant's Objections and Responses to Plaintiff's First Set of Interrogatories
P-52					Kathleen Curns Exit Interview dated June 23, 2008 (D_2561)
P-53	6/7/10	6/7/10		Kathleen Curns	Letter from Micah Hawk to Kathleen Curns regarding assistant manager position (D_2324)
P-54					Wal-Mart document entitled "Our Beliefs" (D_2307)
P-55	6/4/10	6/4/10		Micah Hawk	Table 2: Applicants for Fashion Merchandiser Positions for which Linda Zukaitis Applied
P-56					Associate History Profile for Brian Ratliff (D_1140-1)
P-57					Candidate Information Sheet (D_1609)
P-58					Wal-Mart EEOC Position Statement (D_2298-2312)
P-59					Position Applied for By Linda Zukaitis - Applicant Question & Answer (D_1667; D_1694-1700; D_1753-9)
P-60					Associate History Profile for Shawn Early (D_1517)

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P-61	6/11/10			Frank C. Schubert	Wal-Mart EEOC Position Statement (D 2277 - 88)
P-62					Associate History Profile John Morgans (D 1400-1)
P-63	alento	alento		Mykiah Hark	Positions Applied for by Kathleen Curns - Applicant Questions and Answers (D 1947-66)
P-64					Completed Training Report for David Eaton (D 885-7)
P-65					Associate History Profile for Kathy Schubert (D 1308-9)
P-66					MCS - Print Interview of Kathleen Curns and handwritten notes (D 2494-2500)
P-67					MCS - Print Interview for Kathy Schubert (D 2501-4)
P-68					Associate Profile and Candidate Information Sheet for Daniel Houde (D 1835-7; D 1834)
P-69					Associate Profile for Brian Woodward (D 1909-10)
P-70					MCS - Print Interview for Brian Woodward and handwritten notes (D 2399-2403)
P-71					MCS - Print Interview for Kathleen Curns and handwritten notes (D 2405-9)
P-72					PCN for Kathleen Curns (D 910)

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P-73	6/7/10	6/7/10		Kathleen Curns	Home Office Performance Appraisal for Kathleen Curns as District Manager (P_128-133)
P-74					Job Opening Details (D_1804-7)
P-75	6/7/10	6/7/10		Kathleen Curns	Associate History Profile for Kathleen Curns (D_2573-4)
P-76					Associate History Profile for Dewey Loren (D_2575-6)
P-77					Associate History Profile for Brian Woodward (D_2577-8)
P-78	6/10/10	6/10/10		David Eaton	Associate History Profile for Kathy Schubert (D_2579-80)
P-79					Associate History Profile for Linda Zukaitis (D_2581-2)
P-80					Associate History Profile for Dewey Loren (D_2583-4)
P-81					Associate History Profile for Edward Narrod III (D_2585-6)
P-82					Associate History Profile for Laurie Bennett (D_2587-8)
P-83					Associate History Profile for Ronald Oriel, Jr. (D_2589-90)
P-84					Associate History Profile for Shawn Earley (D_25912)

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P-85					Associate History Profile for Brian Ratliff (D_2593-4)
P-86					Associate History Profile for Ralph Holden (D_2595-6)
P-87					Associate History Profile for Daniel Houde (D_2597-8)
P-88					Associate History Profile for John Morgans (D_2599-2600)
P-89					Associate History Profile for Sabrena Towne (D_2601-2)
P-90					Associate History Profile for Kathleen Curns (D_2603-4)
P-91					PCN For Kathleen Curns (D_2605)
P-92					PCN For Sabrena Towne (D_2606)
P-93					Earnings History Report (D_2607-2842)
P-94					Shawn Earley Optionee Statement (D_2895)
P-95					Kathy Laumeyer Optionee Statement (D_2896)
P-96	6/11/10		Objection sustained	Freund W. Sklar	John Morgans Optionee Statement (D_2897)

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P-97					Brian Ratliff Optionee Statement (D_2898)
P-98					Sabrena Towne Optionee Statement (D_2899)
P-99					Shawn Early Optionee Statement (D_2900)
P-100					Kathy Laumeyer Optionee Statement (D_2901)
P-101					John Morgans Optionee Statement (D_2902)
P-102					Brian Ratliff Optionee Statement (D_2903)
P-103					Sabrena Towne Optionee Statement (D_2904)
P-104					Laurie Bennett Optionee Statement (D_2905)
P-105					Web-Based Management Career Selection (D_2906-20)
P-106					Letter from Daniel Houde to Kathleen Curns (P_1)
P-107	6/8/10	6/8/10		Kathleen Curns	Kathleen Curns W-2 Wage and Statement Forms (P_2-5)
P-108	6/7/10	6/7/10		Kathleen Curns	Management Performance Appraisal of Kathleen Curns (P_1019-21)

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P-109					Performance Evaluation for Kathleen Curns (P_148-150)
P-110					Letter from Tracy Fleming re Kathleen Curns (P_151)
P-111					Division 11 & 15 Mid-Year Review YTD – 00 (P_277-80)
P-112					W2 forms for Linda Zukaitis 1995 (P_163)
P-113					W2 forms for Linda Zukaitis 1996 (P_162)
P-114					W2 forms for Linda Zukaitis 1997 (P_161)
P-115					W2 forms for Linda Zukaitis 1998 (P_160)
P-116					W2 forms for Linda Zukaitis 1999 (P_159)
P-117					W2 forms for Linda Zukaitis 2000 (P_158)
P-118					W2 forms for Linda Zukaitis 2001 (P_157)
P-119					W2 forms for Linda Zukaitis 2002 (P_156)
P-120					W2 forms for Linda Zukaitis 2003 (P_154)

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P-121					W2 forms for Linda Zukaitis 2004 (P_155)
P-122					W2 forms for Linda Zukaitis 2005 (P_152)
P-123					W2 forms for Linda Zukaitis 2006 (P_153)
P-124	6/9/10	6/9/10		Linda Zukaitis	Resume of Linda Zukaitis (P_167-8)
P-125	6/7/10	6/7/10		Kathleen Curns	Management Salary Increase (P_135-6)
P-126	6/7/10	6/7/10		Kathleen Curns	Management Salary Increase for Kathleen Curns (P_147)
P-127					Management Salary Increase for Linda Zukaitis (P_247)
P-128					Management Salary Increase for Linda Zukaitis (P_255)
P-129					Management Salary Increase for Linda Zukaitis (P_256)
P-130					Management Salary Increase (P_276)
P-131					Management Salary Increase (P_281)
P-132					Letter from Micah Hawk to Linda Zukaitis (P_198)

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P-133	6/8/10	6/8/10		Linda Zukaitis	Wal-Mart Award received by Linda Zukaitis (P_238)
P-134					District 187 Leadership Survey Details for Linda Zukaitis (P_239-43)
P-135					Linda Zukaitis Current Base Salary (P_288)
P-136					Management Performance Appraisal (P_282-87 P_289-91)
P-137					2005 Form 10-K (Wal-Mart)
P-138					2009 Form 10-K (Wal-Mart)
P-139					Out With The Old: Wal-Mart's Year-Long Pursuit Of A Younger, Cheaper Workforce
P-140	6/11/10			Frank Weshburn	Supplemental Benefits Documentation
P-141					Wal-Mart Nationwide Consent Decree ADA
P-142	6/7/10	6/7/10		Kathleen Curns	Kathleen Curns Performance Evaluation for Shoes and Jewelry District Manager/Regional (D_1016-18)
P-143					Completed Training Report for Kathleen Curns (D_912-15)
P-144	6/9/10	6/9/10		Micah Hawic	Applicants for Fashion Merchandiser Positions for which Linda Zukaitis applied
P-145					MCS Job Opening Details (D_1830)
P-146	6/7/10	6/7/10		Linda Zukaitis	Wal-Mart Severance Pay Plan (P_193-97)
P-147					Kathleen Curns Performance Evaluation for Assistant Store Manager (D_1019-21)

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P-148					Positions Applied for by Zukaitis (D_1658-66)
P-149					Positions Applied for by Zukaitis – Applicant Questions and Answers (D_1667-798)
P-150					Positions Applied for by Curns (D_1931-46)
P-151					Positions Applied for by Curns – Applicant Questions and Answers (D_1947-2251)
P-152					Morgans 2005 Performance Evaluation (D_1410-12)
P-153					Morgans 2004 Performance Evaluation (D_1431-32)
P-154					Job Description for Fashion Merchandiser Position (P_105)
P-200	6/10/10	6/10/10		David Eaton	Email Chain

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